

CHAPTER 7
CERTIFICATION AND SELECTION
[Prior to 11/5/86, Merit Employment Department[570]]

581—7.1(19A) Method of filling vacancies. Vacancies shall be filled through promotion, transfer, demotion, recall, reinstatement or original appointment. The method and order in which vacancies are filled shall be determined by the director, taking into consideration the provisions of collective bargaining agreements and these rules.

581—7.2(19A) Certificate requests. An appointing authority shall submit a multiple list request form when filling a vacancy in a position covered by merit system provisions.

581—7.3(19A) Types of certificates. The following types of certificates may be issued.

7.3(1) Recall certificate. The director will certify the names of those persons who are eligible for recall on the date and time issued in accordance with the provisions of 581—subrule 11.3(6) or applicable collective bargaining agreements.

7.3(2) Nonpromotional certificate. The director will certify the names of applicants who are not permanent employees and who have indicated availability for the conditions and location specified in the request for certification.

7.3(3) Promotional certificate. The director will certify the names of applicants who are permanent employees, regardless of the agency of employment, who have indicated availability for the conditions and location specified in the request for certification.

7.3(4) Career executive certificate. Rescinded IAB 1/15/97, effective 2/19/97.

581—7.4(19A) Selective certification. The director may certify only those eligibles for a class who possess specific education, experience or other special qualifications required to perform the duties of a position. The director may establish procedures for processing requests and issuing selective certificates.

581—7.5(19A) Selection. When filling a vacancy by original appointment, the appointing authority must select from among those available applicants in the top six final scores, or from persons in the certified disability program whose names are on the certificate.

581—7.6(19A) Expiration of a certificate. The expiration of a certificate shall be 60 calendar days following the date of issue unless otherwise approved by the director. All appointments or promotions must be reported to the director before the expiration date of the certificate. Effective dates of appointments or promotions must be no later than 60 days after the expiration date of the certificate unless otherwise authorized by the director, except that appointments or promotions “pending graduation” or “pending license” shall be allowed to be effective up to nine months following the expiration date of the certificate.

581—7.7(19A) Omission of names from referrals.

7.7(1) If the appointing authority passes over the name of an applicant on three separate certificates in connection with three separate appointments for the same job class from which another person with a lower certified score was hired, the appointing authority may request that the director not refer that applicant to that appointing authority for future vacancies in that job class for a period of two years from the date removed.

7.7(2) If an applicant declines or fails to respond to three offers to interview for the same job class in connection with three separate certificates for three different vacancies, the appointing authority may request that the director not refer the applicant to the appointing authority for that job class.

7.7(3) If approved for removal under this rule, the director shall notify the applicant within five working days following removal. The period of removal shall not exceed two years from the date removed. Appeal of removal shall be in accordance with 581—subrule 12.2(4).

581—7.8(19A) Certification from related eligible lists. The director may issue certificates from related lists of eligibles compiled in accordance with rule 581—6.3(19A).

581—7.9(19A) Incomplete certification. If the number of names available for certification on a non-promotional list is less than six, the appointing authority will be granted provisional appointment authority.

581—7.10(19A) Discretionary consideration of eligibles. An appointing authority need not consider the name of an applicant on a certificate if the applicant is currently employed in a permanent position in the same class or a class in the same, comparable or higher pay grade.

581—7.11(19A) Referral and appointment of “conditional” applicants. The names of applicants who are on the eligible list for a class “pending graduation” or “pending license” are considered to be “conditional.” In order to have these applicants referred on a certificate, the appointing authority must request that “conditional” applicants be included on the eligible list, in which case the scores of both “conditional” and qualified applicants will be referred to the agency. If a “conditional” applicant is selected, the appointment shall not be effective until the applicant has met the minimum requirements for qualification. Appointments shall be made in accordance with subrule 5.2(5) and rule 581—7.6(19A).

581—7.12(19A) Adjustment of errors. An error in the compilation or issuance of a certificate, if called to the attention of the director prior to the expiration date of that certificate, shall be corrected and a new list issued. Except for a recall certificate, such correction shall not result in the removal of any eligible already certified nor invalidate any appointment already made.

These rules are intended to implement Iowa Code section 19A.9.

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**See IAB Personnel Department

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